

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2047

EDWARD THOMAS MACIAS,

Plaintiff - Appellant,

v.

FEDERAL AVIATION ADMINISTRATION,

Defendant - Appellee.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Thomas D. Schroeder,
District Judge. (1:13-cv-00580-TDS-JEP)

Submitted: October 15, 2013

Decided: October 18, 2013

Before WILKINSON and GREGORY, Circuit Judges, and HAMILTON,
Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Edward Thomas Macias, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edward Thomas Macias seeks to appeal the district court's judgment adopting the recommendation of the magistrate judge and dismissing his civil action without prejudice. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders. 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-47 (1949). Because the deficiencies identified by the district court may be remedied by the filing of an amended complaint and an amended application seeking leave to proceed in forma pauperis, we conclude that the judgment Macias seeks to appeal is neither a final judgment nor an appealable interlocutory or collateral judgment. Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993).

Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED